

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
LOS ANGELES REGIONAL INTEROPERABLE)
COMMUNICATIONS SYSTEM JOINT POWERS) RM-11433
AUTHORITY)
)
Request for Waiver of Section 90.531(b)(2))

REPLY COMMENTS OF LA-RICS

The Los Angeles Regional Interoperable Communications System Joint Powers Authority (LA-RICS) hereby submits the following reply to comments submitted in response to the Commission's *Public Notice*, DA 13-39, released January 11, 2013, regarding the above-captioned request for waiver submitted by LA-RICS on December 7, 2012.

Comments were submitted by the Region 5 700 MHz Regional Planning Committee ("Region 5"), the National Regional Planning Council ("NRPC"), and the National Public Safety Telecommunications Council ("NPSTC"). The comments were generally supportive of the LA-RICS Petition, with a few caveats addressed below.

LA-RICS has discussed its waiver with Region 5 and has no objection to including the 700 MHz reserve channels in the Region 5 plan. LA-RICS also agrees to follow the relevant technical standards for coordinating 700 MHz channel use with Region 5, including coordination regarding channels licensed to the State of California (which is also a member of Region 5).

NPSTC recognizes in its comments that LA-RICS has a desperate need for additional spectrum to replace the T-Band, but expresses some concern regarding the compatibility of the LA-RICS petition and a prior request from NPSTC that the Commission designate the 700 MHz

narrowband reserve channels for mobile trunked infrastructure that can be transported into an incident area in the event of major emergency. LA-RICS has no objection to dedicating the 700 MHz reserve spectrum in that manner elsewhere in the nation. However, within Southern California, the higher priority is to ensure that there is adequate spectrum for a *fixed permanent* network to provide mission critical communications for first responders. In any event, should deployable systems be required during an incident in Southern California, LA-RICS envisions that its system will have the ability to turn off channels temporarily to accommodate such transient systems when they are coordinated with LA-RICS and Region 5.

Finally, LA-RICS urges the Commission to address its waiver request as soon as possible. LA-RICS must proceed with its procurement process which requires certainty as to the basic spectrum plan for its voice interoperability platform. LA-RICS cannot wait for the Commission to decide if or when it will adopt some form of the NPSTC proposal.¹

¹ As of the date of these Reply Comments, the NPSTC proposal has not been included in a notice of proposed rulemaking. While LA-RICS understands that such a proposal is currently under consideration and may soon be released for public comment, final resolution of the rulemaking process is far into the future, well beyond the time frame by which LA-RICS needs confirmation of its ability to use the 700 MHz narrowband reserve spectrum.

CONCLUSION

Therefore, for the reasons discussed above and its Request for Waiver, LA-RICS urges the Commission to waive Section 90.531(b)(2) and such other of its rules as may be necessary to allow LA-RICS and its member agencies to obtain licenses for the 700 MHz narrowband reserve spectrum.

Respectfully submitted,

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